



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

NOTICE OF ALLOWANCE AND ISSUE FEE DUE

HM31/0508

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APPLICATION NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
First Named Applicant 08/702,114	08/23/96	017	GUPTA, A 1654	05/08/98

TITLE OF INVENTION IBEA, MICHEL
CHIMERIC FATTY BODY-PRO-GRF ANALOGS WITH INCREASED BIOLOGICAL POTENCY

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 1912-0151P	514-012.000	D86	UTILITY	YES	\$660.00	08/10/98

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- B. If the status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status before, or with, payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B Issue Fee Transmittal should be completed and returned. If you are charging the ISSUE FEE to your deposit account, section "4b" of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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13

DATE MAILED:

NOTICE OF ALLOWABILITY

PART I

1. ☒ This communication is responsive to 3-25-98.
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 1, 5-19 and 21.
4. ☒ The drawings filed on 8-23-96 are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received. ☐ been filed in parent application, serial no. ____; filed on ____.
6. ☐ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons For Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE DATE "MAILED" indicated on this form. Failure to comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH IN THE ATTACHMENT TO THIS PAPER.
 - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. ____ . CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction, filed on ____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED
 - d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- ☐ Examiner's Amendment
- ☐ Examiner Interview Summary Record, PTOL-413
- ☒ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, Form PTO-152.
- ☐ Notice re Patent Drawing, PTO-948.
- ☐ Listing of Bonded Draftsmen
- ☐ Other

C Tsang
CECILIA J. TSANG
SUPERVISORY PATENT EXAMINER
GROUP 1800

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The claims are drawn to chimeric GRF analogs with substituted with 5-7 carbon unsaturated chain which is non-polar and hydrophobic.

The claimed invention is factually distinct from the closes prior art of Gaudreau and Coy in that the claimed compounds are structurally distinct and they posses increased biological activity. As applicants have indicated, the reference of Gaudreau et al. does not teach the introduction of a double bond and does not teach compounds that are not terminated by a nitrogen atom. Coy et al. only teach only a 2 carbon acyl group which is polar and hydrophilic and do not teach or suggest the introduction of a 5-7 carbon unsaturated tail. Moreover, the applicants have also submitted a copy of the exhibits cited in the Declaration of Dr. Brazeau sent under cover of the September 15, 1997, which had been inadvertently omitted in the previous response, which clearly demonstrate increased biological activity as compared to an alkane based GRF analogs. Figures 1-3 and Tables 1-2 demonstrate that alkene based chimeric GRF analogs were biologically more active in a five day treatment than the corresponding alkane chimeric GRF analog. Accordingly, claimed invention is found to be both novel and unobvious over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Gupta whose telephone number is (703) 308-4001.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang, can normally be reached on (703) 308-0254. The fax phone number of this group is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

**U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE**

Attachment to Paper No.:	13
Serial No.:	08/702,114

INFORMATION ON HOW TO EFFECT DRAWING CHANGES**1. Correction of Informalities—37 CFR 1.85; 1097 OG 36**

IN APPLICATIONS FILED **BEFORE** JANUARY 1, 1989 OPTION a) OR b) MAY BE USED IN ORDER TO CORRECT ANY INFORMALITY IN THE DRAWING.

IN APPLICATIONS FILED **AFTER** JANUARY 1, 1989 ONLY OPTION a) MAY BE USED.

AFTER JANUARY 1, 1991 ONLY OPTION a) MAY BE USED REGARDLESS OF FILING DATE.

a) File new drawings with the changes incorporated therein. The art unit number, serial number and number of drawing sheets should be written on the reverse side of the drawings. Applicant may delay filing of the new drawings until receipt of the "Notice of Allowability" (PTOL-37). If delayed, the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for response in the "Notice of Allowability" (PTOL-37). Extensions of time may be obtained under the provisions of 37 C.F.R. 1.136(a). The drawing should be filed as a separate paper with a transmittal letter addressed to the Official Draftsman.

b) Request a commercial bonded drafting firm to make the necessary corrections. A bonded draftsman must be authorized, the corrections executed and the corrected drawings returned to the office during the **THREE MONTH** shortened statutory period set for response in the "Notice of Allowability" (PTOL-37). Extensions of time may be obtained under Provisions of 37 CFR 1.136(a).

Timing of Correction

Applicant is required to submit **acceptable** corrected drawings within the three month shortened statutory period set in the "Notice of Allowability" (PTOL-37). Within this three month period, two weeks should be allowed for review by the Office of the correction. If a correction is determined to be unacceptable by the Office, applicant must arrange to have acceptable correction re-submitted within the original three month period to avoid the necessity of obtaining an extension of time and paying the extension fee. Therefore, applicant should file corrected drawings as soon as possible.

Failure to take corrective action within set (or extended) period will result in **ABANDONMENT** of the Application.

2. Corrections other than Informalities Noted by the Draftsman on the PTO-948

All changes to the drawings, other than informalities noted by the Draftsman, **MUST** be made in the same manner as above except that, normally, a red ink sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.